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Message Text

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PAGE 01 MEXICO 04433 200145 Z

72
ACTION L-03

INFO OCT-01 ARA-11 ADP-00 SCA-01 JUSE-00 RSR-01 RSC-01

/018 W
---------- 001401
R 200020 Z JUN 73
FM AMEMBASSY MEXICO
TO SECSTATE WASHDC 6564

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E. O. 11652: N/ A
TAGS: PFOR, CPRS, SNAR, MX
SUBJECT: EXTRADITION: RAFAEL PINEIRO- VALASCO

REF: STATE 110028

1. EMBOFF PRESENTED DOCUMENTS TRANSMITTED UNDER DEPARTMENT' S A-5061 TO LIC. ABARCA ON JUNE 19.

2. CONCERNING ALLEGED DISCREPENCY BETWEEN SPANISH AND ENGLISH-LANGUAGE DOCUMENTS (REFTEL) ABARCA STATED THAT IN ORDER TO MEET DEADLINE IN CONNECTION WITH EXPIRATION OF 40- DAY PREVENTIVE DETENTION, HE HAD FORWARDED PERTINENT DOCUMENTS TO ATTORNEY GENERAL' S OFFICE WITHOUT HAVING REVIEWED THEM CAREFULLY. THAT OFFICE RETURNED DOCUMENTS TO HIM NOTING DISCREPANCY. ALTHOUGH ABARCA DID NOT HAVE ENGLISH- LANGUAGE VERSION AVAILABLE DURING JUNE 19 CONVERSATION, HIS RECOLLECTION IS THAT THREE DOCUMENTS INCLUDED IN COPY OF ENGLISH- LANGUAGE VERSION WERE NOT INCLUDED IN SPANISH- LANGUAGE TRANSLATION, TO WIT: (A) A DECLARATION OF A CERTAIN CUBAN NATIONAL WHO KNEW AND IDENTIFIED SUBJECT; (B) AFFIDAVIT OF SPECIAL AGENT BOB JOHNSON; AND (C) AN AFFIDAVIT PERTAINING TO THE PROVISIONS OF USC RELATIVE TO THE CRIME.

3. ABARCA FURHTER NOTED THAT DATE OF CERTIFICATION OF SPANISH-LANGUAGE TRANSLATION CONSISTENTLY PREDATES THAT OF CERTIFICAION OF ENGLISH- LANGUAGE COPIES ON WHICH SUCH TRANSLATIONS SUPPOSEDLY
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ARE BASED. ALTHOUGH HE REALIZES THAT THIS PROBABLY REFLECTS FACT THAT TRANSLATION BASED ON ORIGINALS WHICH WERE LOST IN THE MAILS, IT THEREBY DOES RAISE A SERIOUS LEGAL POINT.

4. ASKED HIS OPINION ON THIS CASE, ABARCA NOTED THAT WHILE HE WOULD NOT WANT TO PREJUDGE THE OUTCOME, " AS A LAWYER" HE CONSIDERS
THE CASE TO BE VERY WEAK. PRESSED FURTHER, HE NOTED THAT EVIDENCE IN THE CASE IS ENTIRELY DOCUMENTARY AND PLAGUED WITH VARIOUS WEAKNESSES WHICH HAVE BEEN SUBJECT OF EXCHANGE OF MESSAGES BETWEEN EMBASSY AND WASHINGTON.
MCBRIDE

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NNNNMAFVVZCZ

*** Current Handling Restrictions *** n/a
*** Current Classification *** LIMITED OFFICIAL USE

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Message Attributes

Automatic Decaptioning: X
Capture Date: 01 JAN 1994
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts:
Control Number: n/a
Copy: SINGLE
Draft Date: 20 JUN 1973
Decaption Date: 01 JAN 1960
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Authority: garlanwa
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 28 MAY 2004
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1973MEXICO04433
Document Source: CORE
Document Unique ID: 00
Drafter: n/a
Enclosure: n/a
Executive Order: n/a
Errors: n/a
Film Number: n/a
From: MEXICO
Handling Restrictions: n/a
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ISecure: 1
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Original Handling Restrictions: n/a
Original Previous Classification: n/a
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Page Count: 2
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Previous Classification: LIMITED OFFICIAL USE
Previous Handling Restrictions: n/a
Reference: 73 STATE 110028
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Review Authority: garlanwa
Review Comment: n/a
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Review Event:
Review Exemptions: n/a
Review History: RELEASED <24-Jan-2002 by thigpegh>; APPROVED <12 FEB 2002 by garlanwa>
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EO Systematic Review
30 JUN 2005

Review Media Identifier:
Review Referrals: n/a
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Review Withdrawn Fields: n/a
Secure: OPEN
Status: <DBA CORRECTED> srp 980218
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TAGS: CPRS, PFOR, SNAR, MX
To: L
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